

DEPARTMENT OF HEALTH & HUMAN SERVICES  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, Maryland 21244-1850



**MEDICARE ENROLLMENT & APPEALS GROUP**

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**DATE:** April 18, 2023

**TO:** All Medicare Advantage Organizations, Cost-Based Contractors, and Health Care Prepayment Plans

**FROM:** Jerry Mulcahy  
Director

**SUBJECT:** Updated Notice Part D Notice of Denial of Medicare Prescription Drug Coverage (CMS-10146)

The purpose of this memorandum is to announce the availability of the revised, OMB-approved standardized Notice of Denial of Medicare Prescription Drug Coverage (CMS-10146). The notice and instructions are posted under “Downloads” at <https://www.cms.gov/Medicare/Appeals-and-Grievances/MedPrescriptDrugApplGriev/PlanNoticesAndDocuments>.

The revised OMB-approved standardized Notice of Denial of Medicare Prescription Drug Coverage (CMS-10146) is available now for implementation, but CMS will not enforce use of the notice until **July 1, 2023**. The revised Part D standardized denial notice must be provided to Part D enrollees when a Part D plan sponsor issues a fully or partially adverse coverage determination.

No substantive changes were made to the notice or form instructions. The only change to this notice is the inclusion of updated nondiscriminatory language required on CMS forms and notices. The burden estimates associated with the notice have been updated and the OMB-approved standardized notice reflects the new expiration date of June 30, 2024.

**Questions**

For questions regarding the denial notice, submit to the Part D Appeals and Grievances resource portal: <https://appeals.lmi.org>.